

AMENDMENTS TO THE DRAWINGS

The attached drawing sheets include changes to Figs. 1-6. The replacement sheets, which include Fig. 1-6, replace all original drawing sheets.

Appendix: Replacement Sheets; and
Annotated Sheets Showing Changes Figs. 1-6.

REMARKS

Claims 1-20 are pending in this case. Claims 1, 11, 16, and 19 have been amended to advance the prosecution of the subject application. The disclosure and the drawing figures have been amended to overcome informalities. Applicant respectfully requests that the subject application be reconsidered in view of the above amendments and the following remarks.

The drawings have been objected to for reasons stated on pages 2 to 4 of the Office action. In response, applicant has included reference numeral 32 in Fig. 4 to show the jelly pad, which is disclosed on page 7, lines 11-12 of the specification. Reference numeral 100 has been added in Figs. 4-6 of the drawings and Paragraph [0012] of the specification to show the fracture table. Reference numeral 40 has been added in Figs. 5 and 6 to show the protection member. In Fig. 3, reference numeral 20 has been changed to 22 to show the cylindrical member 22, while a new reference numeral 22 has been added to show the entire structure.

With respect to the remaining drawing objections stated on page 4 of the Office action, applicant respectfully submits the following. Figures 1 and 3-5, as well as the other drawing figures, are provided to illustrate various embodiments and examples of the invention. As is described on page 5, lines 5-6 of the specification, the lateralization member 20 can comprise a cylindrical member 22. Fig. 4 and amended Fig. 3 each illustrate such a configuration. Additionally or alternatively, the lateralization member 20 can comprise a padding member 30, which can be used in combination with a cylindrical member 22, as is described on page 7, lines 1-2 and 24-25 and shown in amended Fig. 3. The padding member 30 can be a jelly pad 32. A protection member 40 can be used, as shown in Fig. 1, to at least partially wrap around the lateralization member 20 (see, *e.g.*, page 10, lines 3-4). The protection member 40 can be in the form of a bandage material 44 wrapping and covering the lateralization member 20, as described on page 10, lines 11-12.

In view of the above, the drawing objections are believed to have been overcome.

Applicant has initiated several drawing corrections. In Fig. 1, element 10 has been modified to be consistent with that in Fig. 2. In Fig. 2, reference numerals 12 and 14 have been switched. The amended Fig. 2 is supported by page 10, line 30 of the specification. In Fig. 3,

portions of interference fittings 28 have been changed and shown in phantom to reflect the position of the interference fittings 28 in relation to the remaining lateralization member 20. The Examiner is hereby respectfully requested to approve the above drawing corrections.

Claims 11-12 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

As one skilled in the art will appreciate, the invention recited in claims 11-12 can be operated without additional guidance by the applicant. For example, the engagement of the lateralization member and the supporting member can be similar to a conventional internal gear configuration. To advance to prosecution of the subject application, claim 11 has been amended to recite that the interference fittings on the inner wall of the lateralization is more than the complementary interference fittings on the outer wall of the supporting member. In view of the above, the subject rejection is believed to have been overcome.

Claims 1-3, 5-7, and 16-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Miller et al. (US Patent 5,515,562). This rejection is respectfully traversed.

Independent claim 1 recites a lateralization effect that varies in different lateral directions. Support for such claim features can be found, such as, in Fig. 1.

Miller et al. does not teach the above claim features. In Miller et al., a traction post 20 is provided and surrounded by a cylindrical pad 10. Indeed, the cylindrical pad 10 has both cylindrical outer and inner surfaces 40, 44 (col. 4, ll. 10-11). Miller et al. also teaches that the cylindrical pad 10 has a diameter sufficient to just fit over the traction post 20 and rotates around the traction post 20 (col. 4, ll. 56-60). Figs. 2 to 4 of Miller et al. show a cylindrical shaped traction post 20. Consequently, regardless which way the traction post 20 and/or the cylindrical pad 10 is orientated, the resultant lateralization effect, if any, exerted onto the patient's body portion does not change. Therefore, the invention recited in independent claim 1 patentably distinguishes over Miller et al.

Independent claim 16 recites a supporting member positioned in an eccentric position in relation to the lateralization member, so that the lateralization effect varies along the circular circumference of the lateralization member. Miller et al. does not teach the above claim features.

The Office action states that the above features are “a mere design choice” and would be obvious to one of ordinary skill in the art. Applicant respectfully disagrees.

The above features in independent claim 16 allow the lateralization device to provide a variable lateralization effect to a user’s body portion. As such, a single lateralization device formed according to independent claim 16 can be adapted for use on different patients having different body sizes, such as adults and children. Or, the lateralization device can be adjusted during a medical procedure to change the position of the patient’s body portion, instead of having to switch to a different sized device. Accordingly, the invention as recited in independent 16 provides advantages over the prior art devices. Therefore, the invention recited in independent claim16 patentably distinguishes over Miller et al.

Independent claim 19 recites increasing the lateralization vector force to position the user’s body portions further apart from each other. Support for such claim features can be found, such as, on page 11, lines 21-23 of the specification.

Miller et al. does not teach the above claim features. In contrast, when the lateral force in Miller et al. increases through the compression of the cylindrical pad 10, the patient’s body portions (*e.g.*, hips) come closer to each other, instead of being further apart as recited in independent claim 16. Therefore, the invention recited in independent claim19 patentably distinguishes over Miller et al. The subject rejection is thus believed to have been overcome.

Claims 4 and 8-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller et al. in view of Kurland (US Patent 4,653,482). This rejection is respectfully traversed. Claims 4 and 8-14 depend from independent claim 1. Kurland is cited in the Office action with respect to the additional features in dependent claims 4 and 8-14 and does not cure the deficiencies of Miller et al. Accordingly, claims 4 and 8-14 are believed to be allowable for at least the same reasons that claim 1 is allowable.

Moreover, claims 8 and 13 each recite that the recessed portion is located in an eccentric position on the cylindrical member. For similar remarks submitted above in connection with independent claim 16, claims 8 and 13 are believed to be allowable for such additional reasons.

In view of the above, the subject rejection is believed to have been overcome.

Claim 15 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller et al. in view of Spetzler et al. (US Patent 6,805,453). This rejection is respectfully traversed. Claim 15 depends from independent claim 1. Spetzler et al. is cited in the Office action with respect to the additional features in dependent claim 15 and does not cure the deficiencies of Miller et al. Accordingly, claim 15 is believed to be allowable for at least the same reasons that claim 1 is allowable. The rejection of claim 15 is thus believed to have been overcome.

Applicants have shown that claims 1 to 20 are patentable over the cited art and hereby respectfully request that the rejections of these claims be withdrawn. Each of the pending claims in this application is thus believed to be in immediate condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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Appendix

**ANNOTATED
SHEET**

NEW U.S. PATENT APPLICANT
BASED ON U.S. PROV APPL. 60/463.186
INVENTORS: KONG ET AL
ATTORNEY DOCKET V9661.0049

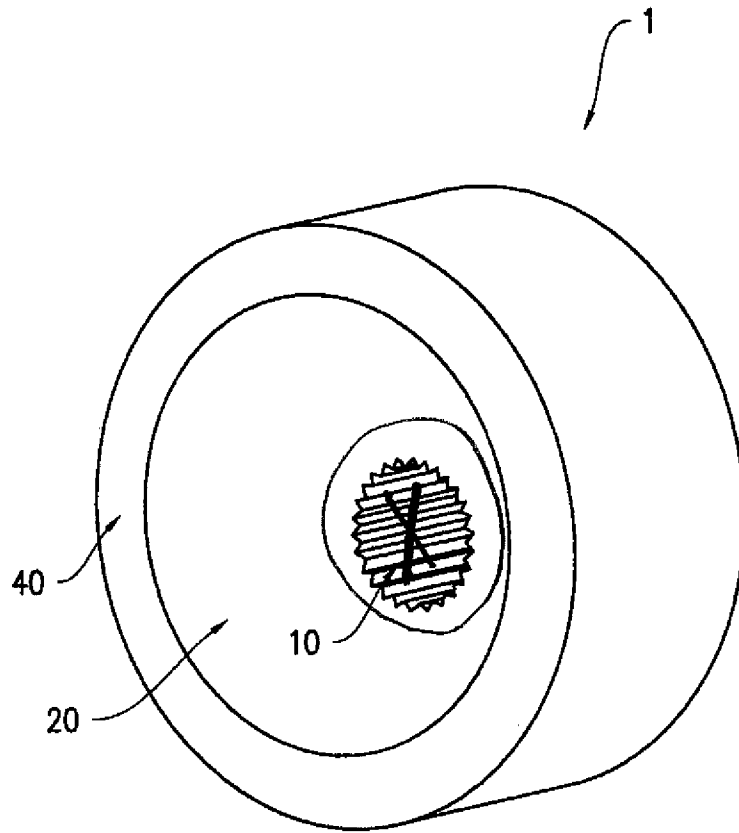


FIG. 1

ANNOTATED
SHEET

NEW U.S. PATENT APPLICANT
BASED ON U.S. PROV APPL. 60/463.186
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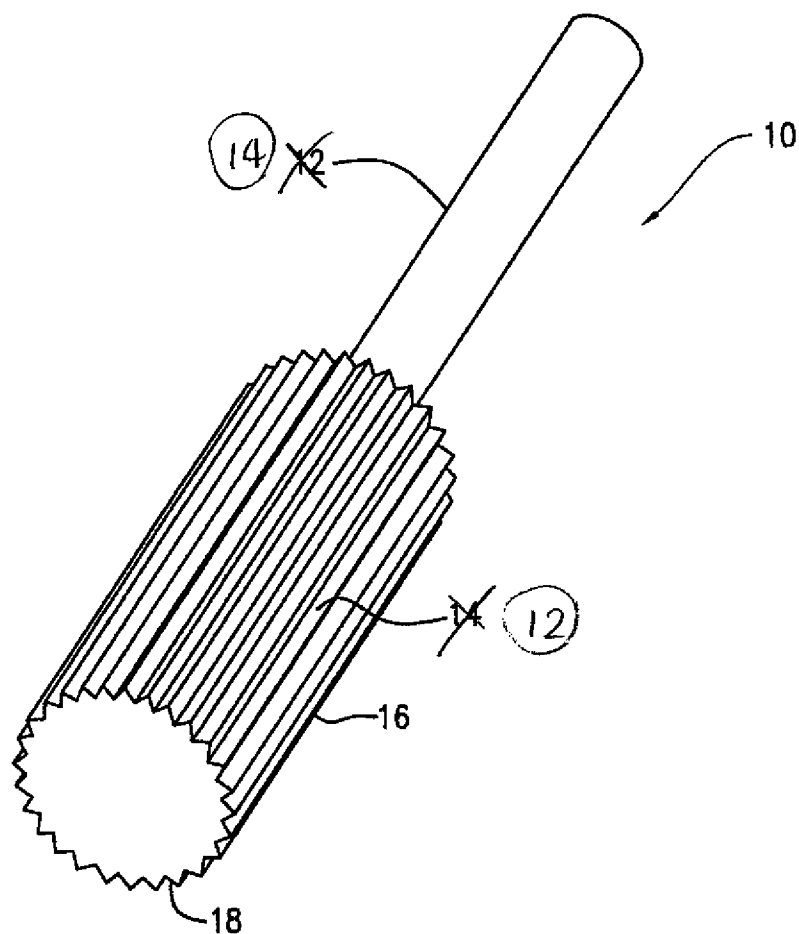


FIG. 2

ANNOTATED
SHEET

NEW U.S. PATENT APPLICANT
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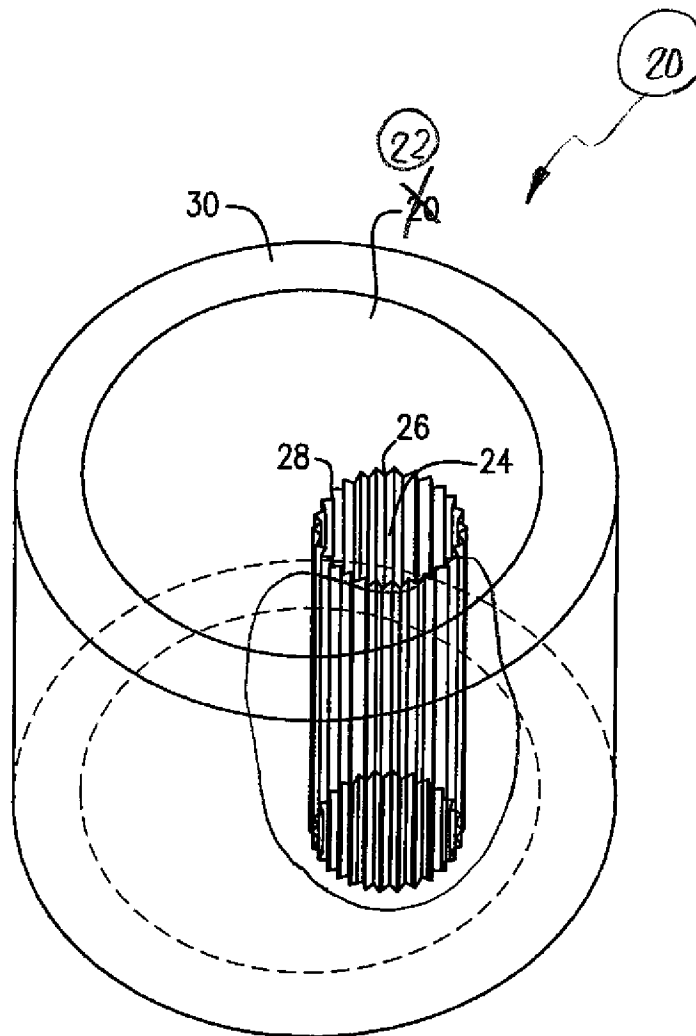
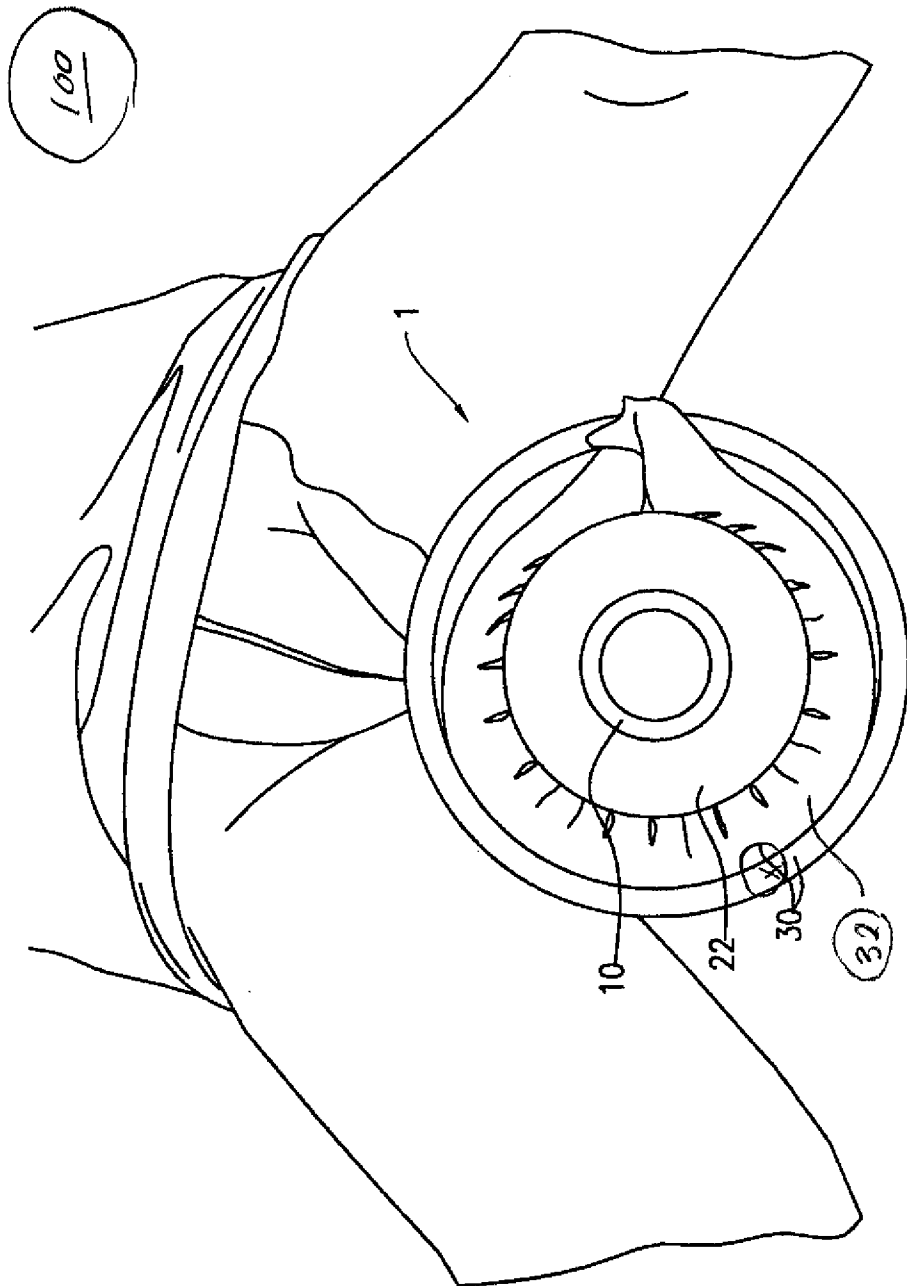


FIG. 3

ANNOTATED
SHEET

NEW U.S. PATENT APPLICANT
BASED ON U.S. PROV APPL. 60/463.186
INVENTORS: KONG ET AL
ATTORNEY DOCKET V9661.0049

FIG. 4



ANNOTATED
SHEET

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INVENTORS: KONG ET AL
ATTORNEY DOCKET V9661.0049

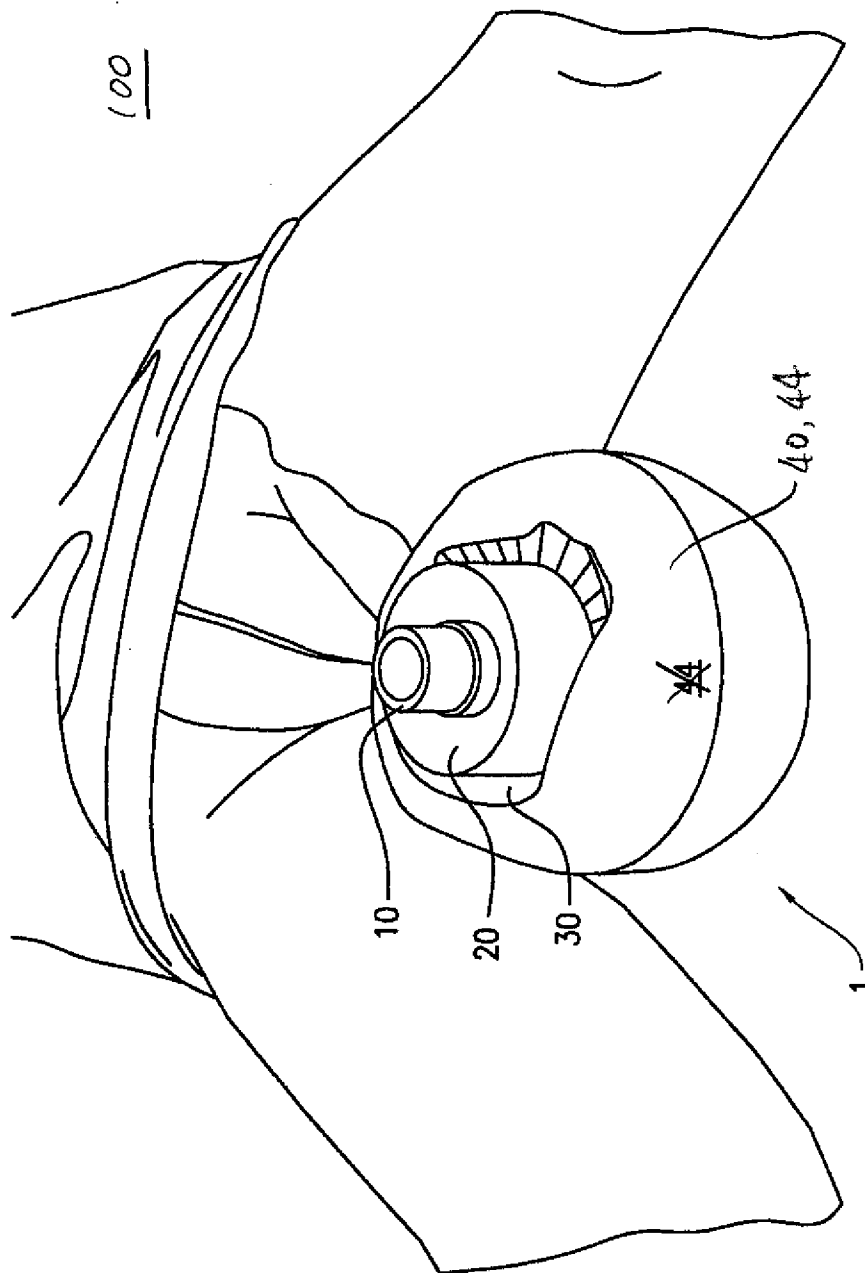


FIG. 5

ANNOTATED
SHEET

NEW U.S. PATENT APPLICANT
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ATTORNEY DOCKET V9661.0049

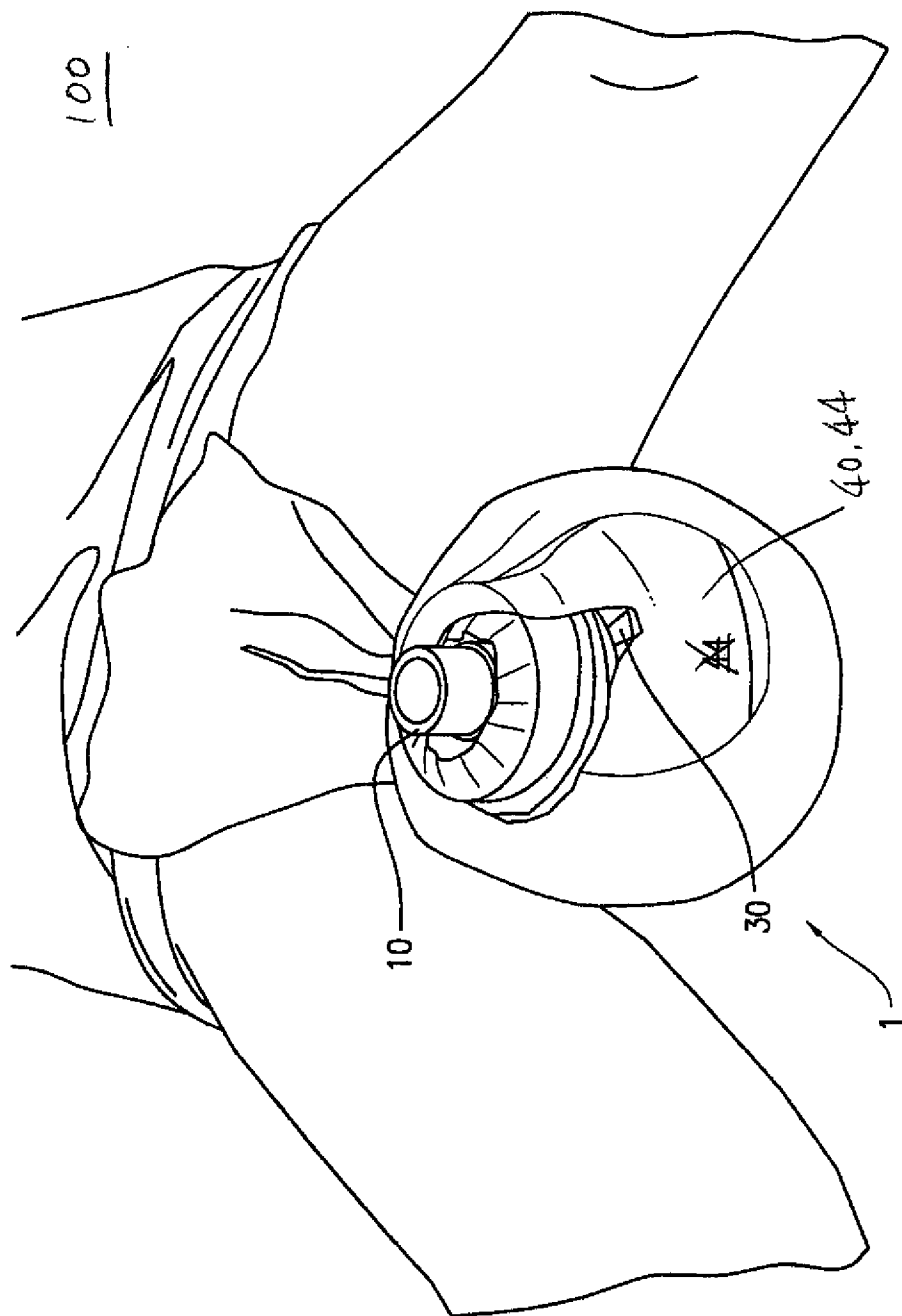


FIG. 6